Use of Water Cannons and Rubber Bullets to Tackle Law & Order situation

44. SHRI ASHOK MITRA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of deaths in the country on account of police firing in each of the years since 1991-92 and their State-wise break-up;

(b) the number of States which have agreed to make use of water cannons and rubber bullets to tackle law and order situations; and

(c) whether the Central Government would consider according special grants to States which agree to the development of water cannons and rubber bullets?

THE MINISTER OF HOME AFFAIRS (SHRI INDERJIT GUPTA): (a) A statement is annexed as annexure. [*See* Appendix 178, Annexure No. 1].

(b) and (c) As 'police' is in the State List of the Seventh Schedule of the Constitution, it is for the State Governments to use various measures/techniques, including use of water cannons/rubber bullets, to tackle law and order situations. Financial assistance being provided to States covers the aforesaid items.

Living conditions in Jails

45. SHRI O.P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether living conditions in Indian jails are far too worse than in any of the jails in the world and there is an urgent need to review the living conditions in the jails particularly in Tihar Jail;

(b) if so, what action has so far been taken or proposed to be taken to make the living in jail proper, hygienic and as per conforming to the provisions of the law;

(c) whether the Jail Manual enacted in 1894 has become outdated and obsolete and there is an urgent need to update the same; and

(d) if so, by when the Jail Manual would be reviewed and updated?

THE MINISTER OF HOME AFFAIRS (SHRI INDERJIT GUPTA): (a) and (b) Though it would be inaccurate to say that living conditions in Indian Jails are far too worse than in any other jail in the world, the Central Government has been stressing the need for further improvement in the living conditions of prisoners. Further, though 'prisons' is a State subject, the Central Government, on its part, has been providing, apart from guidance on improvement of various aspects of prison functioning, financial assistance to the States for modernisation of prisons.

(c) and (d) Prison Administration is governed under the provisions of the Prisons Act, 1894. The State Governments are competent to revise/update their Jail Manuals keeping in view the local requirements.

Supreme Court's guidelines regarding discretionary quota for allotment of petrol pumps and gas agencies

46. DR. D. VENKATESHWAR RAO : Will the PRIME MINISTER be pleased to state:

(a) whether the Supreme Court had taken serious view of flouting of the guidelines by the Ministry of Petroleum and Natural Gas regarding allotment of petrol pumps and gas agencies from the discretionary quota of the Minister;

(b) whether the Supreme Court has also found that the Ministry has violated the guidelines and misused the discretionary quota during 1991—96;

(c) if so, whether the Supreme Court has issued fresh guidelines for making allotment of petrol pumps and gas agencies and for use of the discretionary quota of the Minister; and

(d) if so, whether Government have accepted those guidelines?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI T.R. BAALU): (a) to (d) Discretionary quota of Government and allotments made thereunder were challenged in the Supreme Court through a Writ Petition No. 886 of 1993 on the ground that such allotments were being made in an arbitrary manner. The Hon'ble Supreme Court of India in its order dated 31.3.1995 approved the following guidelines for allotment of dealerships/distributorships under discretionary quota on compassionate grounds:

(i) Dependent of a person who has made Supreme sacrifice for the nation, but has not been properly rehabilitated so far.

(ii) Member for a family which has been a victim of unforeseen circumstances, like terrorist attack, earthquake, floods, etc.

(iii) Physically handicapped person.

(iv) Defence/para-military/police personnel/other Central/State Government employees, who are permanently disabled on duty.

(v) Immediate next of kin, namely widow, parents, children of those who lost their lives in abnormal circumstances.

(vi) Eminent professionals like outstanding sportsmen, musicians, literateurs, etc. and women of high achievement, in distress.

(vii) Individual cases of extreme hardship, which in the opinion of Government are extremely compassionate and deserve sympathetic consideration in view of the special circumstances of the case at the given time.

(viii) The number of discretionary allotments should not ordinarily exceed 10% of the average annual marketing plan, of which allotments of retail outlets for petroleum products should not normally exceed 5%.

The discretionary allotments will be made to a candidate subject to the following general conditions:

(1) He/She should be a citizen of India.

(2) He/She or any of his/her following close relatives (including step relatives) should not already hold a dealership of petroleum products of any oil company:

(i) Spouse. (ii) Father/Mother. (iii) Brother. (iv) Son/Daughter-in-law.

A Writ Petition No. 26/1995 has been filed in the Supreme Court of India by Common Cause against Union of India, alleging among other things, irregularities in the allotment of dealerships/distributorships under the discretionary powers of the Government. The case has been heard in detail by the Hon. Supreme Court of India in various hearings; however, no orders have been passed so far by the Hon. Court in this regard.

वन्य प्राणियों के कारण गांववासियों को जान-माल का खतरा

47. **श्री महेश्वर सिंह:** क्या पर्यावरण और वन मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार इस बात से अवगत है कि जब से वन्य प्राणियों के शिकार पर सरकार द्वारा रोक लगाई गई है तब से कुछ राज्यों में वन्य प्राणियो विशेषकर भालू बाघ और चीतों की संख्या में वृद्धि होने से वहां के गांववासियों को अपने जान-माल की रक्षा का जोखिम उठाना पड़ रहा है;